

**VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)**

SPECIAL MEETING of the VILLAGE BOARD OF TRUSTEES
2007 MUNICIPAL BUDGET PUBLIC HEARING

Monday, November 20, 2006

President Whowell called the special meeting of the Village Board to order at 5:05 pm at the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees present: Roll call vote: Bidwill, O'Connell, Bromfield, President Whowell, Petersen

Trustees absent: Turner, Pollitt

Also present: Skip Bliss, Village Administrator Kelly Hayden-Staggs, Fire Chief Jon Kemmett, Library Director Nancy Krei, Village Clerk Dennis Martin, Ron McCormack, Mac Niven, Building Inspector Ron Nyman, Police Chief Steve Olson, Don Roberts

General Business – President Whowell

Public Hearing – 2007 Village of Fontana Municipal Budget

President Whowell opened the public hearing at 5:05 pm. Hayden-Staggs stated that the proposed expenditures and revenues are the same as approved for publication. Hayden-Staggs stated that with the Tax Incremental Financing District valuation taken out, the Village of Fontana tax levy equates to a tax rate of \$2.91; the rate was \$2.74 with the TID valuation included. Skip Bliss stated that he wanted to make his annual appeal that the Finance Committee should compare the Village budget and expenses to “other comparables.” President Whowell stated that the Finance Committee did an excellent job working with each department to hold the line on expenses, and the administration has discussed the budget with administrators of other municipalities. In response to a question from Don Roberts, Hayden-Staggs stated that the new fire truck will be purchased with borrowed funds, to be paid back over the next 20 years; and the new squad car will be purchased in 2006, not leased in 2007. Hayden-Staggs stated that the tax bills should be ready to be sent out to property owners by the the second week of December. President Whowell closed the public hearing at 5:49 pm.

Resolution 11-20-06-01, Resolution by the Village of Fontana Adopting the Tax Rate for 2006 and Collected in 2007

Hayden-Staggs presented Resolution 11-20-06-01 adopting the tax rate for 2006 and collected in 2007.

O'Connell/Bromfield 2nd made a MOTION to approve Resolution No. 11-20-06-01 as presented, and the MOTION carried without negative vote.

Resolution No. 11-20-06-02, Resolution by the Village of Fontana Recognizing the 2006 Tax Levies

Hayden-Staggs presented Resolution 11-20-06-02 recognizing the 2006 tax levies for collection in 2007.

Bromfield/Bidwill 2nd made a MOTION to approve Resolution No. 11-20-06-02 as presented, and the MOTION carried without negative vote.

Ordinance No. 11-20-06-01, An Ordinance to Adopt the 2007 Village of Fontana Municipal Budget and Tax Levy, and to appropriate the Necessary Funds for the Governmental and Administrative Operations of the Village of Fontana on Geneva Lake for the 2007 Fiscal Year

Hayden-Staggs presented Ordinance 11-20-06-01 adopting the 2007 Village of Fontana municipal budget and tax levy and appropriating the necessary funds for the governmental and administrative operations of the Village for the 2007 fiscal year.

Bromfield/Petersen 2nd made a MOTION to approve Ordinance No. 11-20-06-01 as presented, and the MOTION carried without negative vote.

Appointment of Board of Appeals Member to Replace David Stout & to Fill Vacant Alternate No. 2 Position

President Howell stated that he has not secured a commitment from residents to appoint a replacement for David Stout and to fill the vacant Alternate No. 2 position on the Board of Appeals. A hearing is scheduled for Wednesday, December 6, 2006, beginning at 4:00 pm and only four current Board of Appeals members are able to attend the meeting at this time. President Howell asked the Trustees to provide him with possible appointees prior to the next Village Board meeting on Monday, December 4, 2006.

Petersen/Bromfield 2nd made a MOTION to table the item until the December 4, 2006 Village Board meeting, and the MOTION carried without negative vote.

Abbey Springs PIP Amendment for Guard Houses, Yacht Club, and Boat House Projects (Tabled 11/06/06)

Hayden-Staggs stated that the ordinance distributed was amended by Village Attorney Dale Thorpe to address the language concerns he stated at the November 6, 2006 Village Board meeting. Hayden-Staggs stated that Abbey Springs still will have to secure permits for the removal of trees for the various projects. Petersen asked why two trees are planned to be cut down adjacent to the boat house site. Architect Ron McCormack responded that the boat house addition had to be laid out in the direction of the two trees because of shoreline setback regulations and other site restrictions; however, two other very large trees in the area are being preserved.

Bromfield/Bidwill 2nd made a MOTION to approve Ordinance 11-20-06-02 as presented, and the MOTION carried without negative vote.

Authorize Contracting for Purchasing Fire Truck

Fire Department Chief Jon Kemmett stated that the Village has to submit to Central States Fire Apparatus, LLC a signed contract for the \$386,545 fire truck as soon as possible to guarantee the quoted price. Kemmett stated that there are only nine remaining 2006 chassis available at the quoted price of \$178,848. Kemmett stated that if the Village Board approves the signing and submission of the contract at this time, the chassis will be delivered in about four months. The Village will have to pay \$178,848 for the chassis at that time, and pay the \$207,697 balance for the new truck when the finished product is delivered.

Bromfield/O'Connell 2nd made a MOTION to approve signing the \$386,545 contract between the Village of Fontana and Central States Fire Apparatus, LLC, a division of Rosenbauer America, for the Central States 2000 gpm Rear Mount Pump, Aluminum Rescue Body truck with a Spartan Gladiator Classic LFD 24-inch Raised Roof Command Style Chassis, and the MOTION carried without negative vote.

Condon Tree Bond Release (Tabled 11/06/06)

Hayden-Staggs stated that Thorpe contacted the attorney representing Dennis Condon and Condon agreed to cut down the four dead trees that caused safety concerns in the area of the Condon Construction Pottawatomie Drive subdivision. Hayden-Staggs stated that the trees have subsequently been cut down and Condon has met all of the other obligations spelled out in the tree bond agreement. Hayden-Staggs stated that Village Board had to approve a motion to release the \$15,000 bond with the exception of the \$240 cost for a report prepared by Wachtel Tree Science & Service and \$400 for one Oak tree that has to be replanted.

Bromfield/Bidwill 2nd made a MOTION to approve the release of the \$15,000 tree bond filed with the Village of Fontana by Dennis Condon for his Pottawatomie Drive subdivision, with the exception of the \$240 cost for a report prepared by Wachtel Tree Science & Service and the \$400 cost for one Oak tree that has to be replanted. The MOTION carried without negative vote.

FW/WPCC Addition as Additional Insured to VOF Insurance Policies

Hayden-Staggs stated that the Fontana/Walworth Water Pollution Control Commission is considering a change in insurance providers to the League of Wisconsin Municipalities Mutual Insurance Program, the same provider as the Village of Fontana. If the change is approved by the F/W WPCC Board, Hayden-Staggs stated that Bill King, of R&R Insurance, indicated it would be a good idea for the Village to name FW/WPCC as an additional insured on the Village policies, and

for FW/WPCC to name the Village of Fontana as an additional insured on the FW/WPCC policies. There is no additional cost for the Village to name FW/WPCC as an additional insured on the Village policies or for FW/WPCC to name the Village of Fontana as an additional insured on the FW/WPCC policies.

Petersen/Bromfield 2nd made a MOTION to approve the addition of the Fontana/Walworth Water Pollution Control Commission as an additional insured on the Village of Fontana League of Wisconsin Municipalities Mutual Insurance Program policies, and the MOTION carried without negative vote.

Pay Request for Utility Work at Main Lift Station

Hayden-Staggs stated that the installment of a natural gas pipeline to the new Main Lift Station in Reid Park will cost \$1,193.20. If approved, the pipeline can be installed during the current construction.

Petersen/Bromfield 2nd made a MOTION to approve the installment of a natural gas pipeline to the new Main Lift Station in Reid Park for \$1,193.20, and the MOTION carried without negative vote.

Beach House Lighting

Hayden-Staggs stated that a meeting was held to discuss the lighting options at the beach house and it was determined that the Village should experiment to determine the best lighting option. The suggestion was made to add LED lights to the exterior of the beach house and to tinker with the interior lights. O'Connell stated that she was concerned that the lights not be blocked by the landscaping grass that has been planted along the street side of the beach house. Petersen suggested that the Village use red and green lights on the beach house during the holiday season.

Petersen/Bromfield 2nd made a MOTION to approved the addition of LED lights to the exterior of the beach house and to tinker with the interior lights, and the MOTION carried without negative vote.

Tree Ordinance Enforcement Moratorium in the ETZ District (Referred 11/06/06)

President Whowell stated that there have been a lot of issues raised since the Village Board adopted the Natural Resources Conservation Ordinance (Tree Ordinance) on February 7, 2006. President Whowell stated that the fine schedule, the replacement provision for all trees greater than 8-inches-wide, and the inclusion of nuisance trees need to be addressed. President Whowell stated that he also didn't realize from the early planning discussions that the Tree Ordinance was going to be enforced in the ETZ District. Nyman stated that a workshop planning meeting would be needed to make sure all the concerns are addressed and properly delineated in the proposed ordinance amendment. Nyman stated that the enforcement of the tree ordinance and the related paperwork has dominated the daily office schedule for the Building and Zoning Department since its inception. Hayden-Staggs stated that a workshop meeting will be scheduled to discuss the concerns and the fine schedule; however, the Village Board should consider adopting a moratorium on the enforcement of Section 18-28 of the Municipal Code in the ETZ area. Hayden-Staggs stated that the enforcement of the ordinance in the ETZ area was not specifically addressed during the drafting of the ordinance and it was never stated that it was going to be included. Hayden-Staggs stated that the time and expense required to enforce the ordinance in the ETZ District are not in the best financial interest of the Village. President Whowell stated by adopting a moratorium on the enforcement of the tree ordinance in the ETZ, the Village will be helping Walworth Township property owner Bill Henry to carryout a U.S. Department of Agriculture Natural Resources Conservation Program agreement. Henry has an approved wildlife habitat oak savanna restoration project that would be cost prohibitive under the current replanting requirements of the Village of Fontana tree ordinance. Bidwill stated that he was concerned that if the Village approves a moratorium on the enforcement of the tree ordinance in the ETZ District, the Village could possibly face a discrimination issues with regard to enforcing the ordinance in the Village. Hayden-Staggs stated that the zoning districts all have unique requirements that are in affect in one district but not in others. Hayden-Staggs stated that a workshop meeting to amend the tree ordinance will be scheduled at the next meeting of the Park Commission. Bromfield/Bidwill 2nd made a MOTION to approve Resolution No. 11-20-06-03 establishing a moratorium on the enforcement of Section 18-28 of the Municipal Code as presented, and the MOTION carried without negative vote.

Adjournment

Bromfield/O'Connell 2nd made a MOTION to adjourn at 6:00 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, Village Clerk

Note: These minutes are subject to further editing. Once approved by the Village Board the official minutes will be on file at the Village Hall.

APPROVED: 12/04/06